



Safety Information

**National
Transportation
Safety Board**

Testimony for the Record of the National Transportation Safety Board before the

Committee on Commerce, Science, and Transportation Subcommittee on Surface Transportation and
Merchant Marine United States Senate

Regarding

S. 1501, the Motor Carrier Safety Improvement Act of 1999

September 29, 1999

Good morning, Chairwoman Hutchison and members of the Committee. We appreciate the opportunity to provide the National Transportation Safety Board's views regarding S.1501, the Motor Carrier Safety Improvement Act of 1999, introduced by Chairman McCain. We applaud the Committee's continued efforts regarding this important safety issue.

The number of registered large trucks on our nation's highways continues to grow, and with that growth come added concerns about the safety of motor carriers on our roads. In 1997, there were 5,355 fatal crashes - and countless others resulting in serious injuries - involving heavy trucks. Although large trucks accounted for only three percent of all registered vehicles, collisions involving large trucks accounted for nine percent of the 1997 traffic fatalities.

The Safety Board has a long-standing interest in motor carrier safety, and throughout this year, we have addressed the complex safety issues related to heavy vehicle transportation through several venues. Below is a list of current and future Board activity regarding this issue.

March 1999 - Issued a highway special investigation report on selective motorcoach issues. This report addressed the following safety issues: busdriver fatigue; Office of Motor Carriers (OMC) safety rating methodology emergency egress; and passenger safety briefings.

April 1999 -- Conducted a hearing to review the conditions and causes of truck/bus related crashes and evaluate the effectiveness of Federal and state oversight of the large truck and bus industry. Participants included representatives from truck and bus companies, drivers, owner-operators, associations, and government.

September 1999 - Conducted a second hearing which focused on advanced safety technology applications for commercial vehicles. Testimony was received from representatives of the U.S. government, the truck and bus industry, technology manufacturers, public advocacy groups, and foreign governments that have already implemented some of the advanced technologies.

September 1999 - Adopted a report on bus crash worthiness as a result of crucial safety questions regarding bus safety. The Board's report on bus crash worthiness addressed: school bus occupant protection systems; the effectiveness of Federal motorcoach bus crash worthiness standards and occupant protection systems; discrepancies between different Federal bus definitions; deficiencies in the National Highway Traffic Safety Administration's Fatality Analysis Reporting Systems bus ejection data; and the lack of school bus injury data.

October 1999 - A third hearing will be held to review the highway transportation safety aspects of the North American Free Trade Agreement (NAFTA).

January 2000 - A fourth hearing will be held to address issues related to the effectiveness of the Commercial Driver's License (CDL) program that are being examined as a result of recent highway accidents.

Spring 2000 - The Board anticipates completion of a special study that will explore intrastate truck operations and their impact on highway safety.

I would now like to comment on three issues addressed in S. 1501: improvements to the CDL program; improved data collection; and protection of data obtained from event recorders.

Improvements in the CDL Program

According to the American Trucking Associations, the trucking industry employs 9.5 million individuals-and includes more than 442,000 companies which operate more than 4 million medium and heavy trucks and haul about 6.5 billion tons of freight. Those same trucks travel more than 166 billion miles a year, and are driven by over 8 million CDL holders.

A safety recommendation asking the Secretary of Transportation to develop a national driver license program was first issued by the Safety Board on July 14, 1986, following accidents involving heavy trucks that occurred in October 1982 in Lemoore, California, and July 1984 near Ashdown, Arkansas. Although we have been a strong supporter of the CDL, there are still drivers who should not be behind the wheel of a heavy truck. For example, the Safety Board has recently investigated two tragic motorcoach accidents in which the bus drivers were 'unpaired from either over-the-counter medications or illicit drugs.

On June, 20,1998, near Burnt Cabins, Pennsylvania, a Greyhound bus on a scheduled trip from New York City to Pittsburgh, Pennsylvania, traveled off the right side of the roadway into an emergency parking area where it struck the back of a parked tractor-semitrailer, which was pushed forward and struck the left side of another parked tractor-semitrailer. This accident resulted in the death of 6 bus occupants. Post-accident toxicological testing of the busdriver revealed that an antihistamine, a decongestant, and tylenol were present in his system. The

Board's investigation is examining whether these over-the-counter medications could have resulted in the busdriver's sleepiness.

On May 9, 1999, in New Orleans, Louisiana, a tour bus going from La Place, Louisiana, to Bay St. Louis, Mississippi, departed the right side of the highway, struck the terminal end of a break-away cable guardrail, traveled along a grassy right-of-way, vaulted over a depressed golf cart walkway, collided with the far side of the embankment, and slid forward, upright. The accident resulted in 22 fatalities. The busdriver died in August 1999. At the time of the accident, the driver was under treatment for kidney failure and congestive heart failure, and he was undergoing hemodialysis three times a week. Post-accident toxicological tests revealed marijuana and an over-the-counter antihistamine and decongestant in the busdriver's system.

Mr. Chairman, if there had been a national driver registry of medical providers before the Louisiana bus accident, the driver would not have been licensed because of his medical history, and the 22 fatal passengers may be alive today. We believe the proposal for a national driver registry of medical providers, as proposed in S. 1501, would go a long way to assuring the American public that CDL holders are, and will remain, medically qualified to operate large commercial vehicles on the nations highways.

Improvements in Data Collection

The second item we would like to discuss is the need to improve data collection. Poor accident data can preclude the ability to identify transportation safety concerns in a timely manner, lead to poor decision making, and often result in inappropriate utilization of resources.

In November 1998, the Safety Board completed a special investigation of transit bus safety that concluded that the accident data maintained by many Department of Transportation (DOT) administrations, including the Federal Highway Administration (FHWA), do not accurately portray the industry's safety record due to the limitations of each agency's database. There is currently little uniformity in the data collected by the 50 states following highway accidents. -As a result, even though the states transmit their data to Federal government agencies, comparative analysis of the causes of accidents between states, or nationwide, is nearly impossible because there are few common data points upon which to base that analysis.

We believe that the direction provided in S'. 1501 will improve the quality of commercial vehicle crash data. This will contribute to the overall quality of the information to be gleaned from a database, and will thus lead to better decisions and help prevent the allocation of scant resources to projects that may not bring about improvements.

Protection of Data Obtained from Event Recorders

The third item we would like to discuss is the need for protection of data obtained from event recorders. The need for on-board recording devices has been an issue on the Board's Most Wanted list since May 1997. These devices can be used not only in accident investigation **and** reconstruction, but also by the trucking industry to identify safety trends, develop corrective actions, and can lead to operating efficiencies.

In May, the Safety Board held an international symposium focusing on recorder devices for vehicles in all modes of transportation. The most frequent concerns raised by stakeholders attending the symposium were the issues of privacy and access to event recorder data.

The Safety Board's request for reauthorization, pending before this Committee, addresses this issue and includes a section regarding withholding of voice and video recorder information for all modes of transportation from public disclosure, comparable to the protections provided for cockpit voice recorders. Industry representatives have advised they are reluctant to use on-board recorders because of privacy issues. Therefore, we believe the lack of statutory protection would limit the acceptance of new recorder technology. However, because current driver paper logs may not be reliable, the Safety Board has issued two recommendations that event recorders be used as a means to electronically monitor commercial vehicle operators' compliance with hours-of-service regulations.

In addition, the proposed Motor Carrier Safety Administration should embrace other technology that can improve safety. Collision avoidance systems, electronic braking systems, and intelligent transportation systems, are available today and can be used to prevent crashes and **save** lives.

Conclusion

If we are to improve highway safety, it is clear that effective leadership is needed, along with a desire to be more proactive and a willingness to be innovative - to try new approaches to solving not only the problems at hand, but those we know loom in the future. We believe that S.

1501 will establish a good framework for the DOT and the proposed Motor Career Safety Administration to begin the process of bringing about meaningful change to improve motor career oversight.

That completes the Board's statement on this issue, and we appreciate the opportunity to provide our views for the Committee's information.

